

Swiss Cheese * * * Distributed by Daitech Crystal Dairies, Inc., New York, N.Y."

RESULTS OF INVESTIGATION: Examination showed that artificial holes or eyes had been cut into the cheese simulating the holes or eyes which swiss cheese normally develops during the curing process. Investigation disclosed that the dealer was cutting the holes or eyes before slicing and packaging the cheese.

LIBELED: 11-28-62, S. Dist. N.Y.

CHARGE: 402(b) (3)—while held for sale, artificial holes or eyes had been cut into the cheese, thereby concealing the inferiority of the product.

DISPOSITION: 3-11-63. Consent—claimed by Crystal Products, Inc., New York, N.Y., and destroyed.

EGGS

28843. Frozen eggs. (F.D.C. No. 48244. S. No. 87-285 T.)

QUANTITY: 120 30-lb. cans, at Chicago, Ill.

SHIPPED: Between 7-3-62 and 9-7-62, from Indiana, Iowa, Minnesota, and Wisconsin.

RESULTS OF INVESTIGATION: The article had been prepared and packed at Chicago, Ill., by Nichols Badger Brand Products, Inc., from shell eggs which had been shipped by various egg producers as described above.

LIBELED: 10-18-62, N. Dist. Ill.

CHARGE: 402(a) (3)—contained decomposed eggs while held for sale.

DISPOSITION: 11-5-62. Consent—claimed by Nichols Badger Brand Products, Inc. Segregated; 26 cans denatured.

28844. Incubator reject eggs. (F.D.C. No. 46701. S. No. 69-782 R.)

INFORMATION FILED: 1-29-62, Dist. Md., against Alan Rutstein, Englewood, N.J., and Frank A. Contino, Newark, N.J.

SHIPPED: 4-21-61, from Maryland to Delaware.

CHARGE: 402(a) (3)—contained decomposed eggs and eggs containing embryos when shipped.

PLEA: Guilty.

DISPOSITION: Pursuant to the defendants' requests, the case was transferred to the Dist. N.J. for the entry of pleas of guilty. Such pleas were entered on 9-14-62, and on 1-18-63, the court sentenced the defendants as follows: Rutstein—1 year in jail, which sentence was reduced on 2-11-63 to 9 months; Contino—\$250 fine and probation for 5 years.

28845. Frozen eggs. (F.D.C. No. 48602. S. Nos. 41-243/44 V, 41-346 V.)

QUANTITY: 629 30-lb. cans, at Jersey City, N.J.

SHIPPED: Between 8-23-62 and 12-13-62, from Philadelphia, Pa., by William H. Oldach, Inc.

LABEL IN PART: (Can) "Whole (eggs) Packed for and distributed by Wm. H. Oldach, Phila. Pa."

LIBELED: 1-22-63, Dist. N.J.

CHARGE: 402(a) (3)—contained decomposed eggs when shipped.

DISPOSITION: 4-9-63. Consent—claimed by Wm. H. Oldach, Inc. Segregated; 403 cans denatured.